

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK B. HARRIS,

Plaintiff,

v.

JOSEPH LEHMAN *et al.*,

Defendants.

Case No. C05-5039FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION

In this civil rights action, Plaintiff was ordered to submit by March 4, 2005 service documents including copies. [Dkt. # 5 February 2, 2005.] Plaintiff responded [Dkt. # 7, March 24, 2005] requesting three more U.S. Marshal service forms, and the Clerk sent the forms March 28, 2005. There has been no response, and only one copy of the complaint is in the Clerk's office.

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The complaint is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the courts order to provide service documents.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon.J. Kelley Arnold.

DATED this 21st day of April 2005.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE